

**WALDO COUNTY COMMISSIONERS COURT SESSION
DECEMBER 14, 2010**

PRESENT: Commissioners Amy R. Fowler, Donald P. Berry and William D. Shorey, Commissioner-Elect Betty Johnson and County Clerk Barbara L. Arseneau to take the minutes.

Call to Order: Commissioner Berry called the meeting to order at 9:00 a.m.

2011 TAX ANTICIPATION NOTE BIDS:

Present with the Commissioners were Treasurer David Parkman, Deputy Treasurer Karen Trussell, Paul Doody with Camden National Bank, Jennifer Seekins and Cathy Reynolds, both with Bangor Savings Bank.

BIDS:

Only two bid proposals were received, as Damariscotta Bank telephoned to say that they were not going to offer a proposal this year and Key Bank sent a letter stating that they also would not be bidding.

1. Bangor Savings Bank: Bid proposal: Tax Anticipation Note for \$3,500,000.00, with an interest rate of 1.35% on a lump sum or as-needed basis. Interest would calculate at \$47,250.00, if borrowed all at once.
2. Camden National Bank: Bid proposal: Tax Anticipation Note for \$3,500,000.00 with an interest rate of 1.59% on a lump sum or as-needed basis. D. Parkman reviewed the schedule.

D. Parkman noted that the County had stopped utilizing banks outside of the City of Belfast because it caused so much travel for the Deputy Treasurer.

****A. Fowler moved, W. Shorey seconded to award the bid to Bangor Savings Bank at a 1.35% interest rate for 2011. Unanimous.**

FINANCIAL REPORT:

Present with the Commissioners were Treasurer David A. Parkman and Deputy Treasurer Karen Trussell. D. Parkman reported the following regarding the County finances to the County Commissioners:

REVENUE:

EMA reimbursement is down about \$10,000.00, at 88%. Probate Restitution is also low, although the Treasurer believed the expenses on the other side were low, which would even this out.

APPROPRIATIONS:

D. Parkman reviewed the expenditures to date. The total budget could be at about 95% expended and is 94% expended at this point. The Sheriff's Office and Communications Center are at 95% expended. Employee Benefits is at 100% expended, being \$2,000.00 overdrawn because of the unanticipated rate increase in the MainePers system that came after the 2010 Budget was set.

DISCUSSION OF FUNDS LEFT FOR WARRANTS:

D. Parkman reported that the last warrant in December of 2009 was \$177,851.00. The final warrant for 2009 in January 2010 to pay for 2009 invoices that did not arrive in time to be processed on the December warrant amounted to \$90,294.96, bringing the total to \$268,146.38. D. Parkman reported that as of today, \$243,665.76 is all that remains of the 2010 budget. One more payroll is due, which will be about

\$143,665.00. Both he and K. Trussell expressed concern that this will not leave much left to pay invoices generated by the departments and suggested that some 2010 invoices may have to be paid in 2011, noting that this would impact the 2011 budget. W. Shorey commented that this demonstrates a “good, thrifty budget.”

D. Parkman complimented the Facilities Department for an “excellent” budget, adding that this is always the case with Facilities, while acknowledging that some funds would have to be expended this month. D. Parkman reported that the Deeds and Probate budgets are in good shape at this point.

W. Shorey stated that the money wasted with Patrol Officers sitting in the courthouse waiting for court cases is a deplorable situation and he hoped that Representative Ryan, who was present, might be able to assist with situation. W. Shorey wondered why it wasn’t possible to change this arrangement so not so much time was wasted, especially since many of those deputies sit there all day and are not even being used. D. Berry suggested waiting until all the Representatives and Senator were present to hold this discussion.

PROPERTY TAXES PAID:

D. Parkman reported that all the municipalities paid on time this year and commended them all.

RESERVE ACCOUNTS:

D. Parkman reported that \$81,621.52 has been spent on the Sheriff’s portion of the proposed new EOC/Sheriff’s building and \$41,924.17 has been expended on the EMA portion of the building.

D. Parkman reported expenditures from the Reserve accounts, which are included in the warrants listed below.

WARRANTS:

****D. Berry moved, A. Fowler seconded to authorize payment of the November 30, 2010 General Fund Accounts Payable & November 24, 2010 Payroll warrant in the amount of \$579,844.38. Unanimous.**

****D. Berry moved, W. Shorey seconded to authorize payment of the November 30, 2010 Reentry Accounts Payable and November 24, 2010 Payroll warrant in the amount of \$536,679.67. Unanimous.**

****D. Berry moved, A. Fowler seconded to authorize payment of the November 30, 2010 Active/Restricted Reserve warrant in the amount of \$4,706.16. Unanimous.**

****D. Berry moved, A. Fowler seconded to authorize payment of the December 14, 2010 General Fund Accounts Payable and December 9, 2010 Payroll warrant in the amount of \$265,274.59. Unanimous.**

****D. Berry moved, W. Shorey seconded to authorize payment of the December 14, 2010 Reentry Accounts Payable and December 9, 2010 Payroll warrant in the amount of \$998,896.31. Unanimous.**

****D. Berry moved, A. Fowler seconded to authorize payment of the December 14, 2010 Capital/Active/Restricted Reserve warrant in the amount of \$8,394.77. Unanimous.**

****W. Shorey moved, A. Fowler seconded to accept the Treasurer's Report. Unanimous.**

D. Parkman said that during public comments at the Public Hearing for the 2011 Waldo County Budget, he would likely recommend to the Budget Committee adding \$30,000.00 for Severance, \$30,000.00 for Workers Comp and \$25,000.00 for Technology in the Reserve Accounts, for a total of \$85,000.00. The Commissioners agreed that this request would be reasonable. W. Shorey inquired about the \$5,000.00 requested by the Register of Deeds for Waldo's portion that will go toward a statewide web portal in the future, and was told that this was being placed into a Reserve at a later date from undesignated funds. There was brief discussion about unspent funds from the Corrections side and the possibility of putting those in Reserves as appropriate.

D. Parkman reported that the County has been under the LD#1 CAP every time except once. Otherwise, the County has been within the budgets all along. He felt that the County worked hard to get here, and any more out of that would be going backwards. He believed a lot had been designated for this year, but cautioned that as budgets get tighter and tighter, the LD1 figure will continue to be lower and lower. K. Trussell estimated the CAP for 2012 will be significantly lower than in 2011. The 2010 CAP is \$7,297,097.00 and the County assessed out \$7,101,470.89. For 2011, the base for figuring the CAP is the assessed amount of \$7,101,470.89. The 2011 CAP is \$7,303,913.00 and when the budget, minus the revenues, minus what the County is giving back to the towns, and adding back in the overlay is calculated, the County will be assessing out approximately \$6.8 million. When the County starts to figure the 2012 CAP, the starting base will be \$6.8 million. Right now for the 2011 budget, the assessment is sitting at \$499,343.35 under the CAP.

W. Shorey said that he didn't believe it was unreasonable to ask for the money for the Reserve accounts at the Public Hearing.

K. Trussell said that even with the money that went back to the municipalities, the County was \$178,000.00 below the CAP.

W. Shorey stated that there should be a discussion about adding money to the Sheriff's budget for vehicle fuel as those prices have gone up and likely will continue to. The gas prices are already above the estimated per-gallon figure used by the Sheriff for the 2011 budget.

D. Parkman said he had very much enjoyed working with Commissioner Berry during the last four years and appreciated all he has done and all his support. D. Berry stated that he appreciated the Treasurer's work as well.

SINGLE A-133 FEDERAL AUDIT:

D. Parkman reported that the federal audit for grant funds received in 2009 has been performed and received, and submitted a copy to the Commissioners. He explained that he had learned that it should have been done the same time as the regular audit, as this would have been more economical. The Commissioners noted that, even so, the cost to perform the federal audit was lower than they originally had anticipated. D. Parkman stated that departments should be budgeting money in their budgets for grant matching in the future, or include those costs in the grant they are applying for.

CLOSING BOOKS FOR 2010 REGISTRY OF PROBATE:

Present with the Commissioners was Register of Probate Sharon Peavey, who reported that all her figures for 2010 agreed with the Treasurer's figures.

RECEIVED FOR 2010:

Fees:	\$75,827.79
Surcharge:	\$2,671.48
<u>Restitution:</u>	<u>\$4,778.96</u>
TOTAL:	\$83,278.23

****A. Fowler moved, W. Shorey seconded to approve closing the Registry of Probate Books for 2010. Unanimous.**

CLOSING BOOKS FOR 2010 REGISTRY OF DEEDS:

Present with the Commissioners was Register of Deeds Deloris Page.

RECEIVED FOR 2010:

Fees:	\$280418.07
Surcharge:	\$21,714.00
Transfer Tax:	\$50,501.77
<u>Interest:</u>	<u>\$100.48</u>
TOTAL:	\$352,734.32

D. Page reported that this total was down about \$14,000.00 from 2009.

****A. Fowler moved, W. Shorey seconded to approve the closing of the Registry of Deeds Books for 2010. Unanimous.**

There was a brief review of the history related to the MacImage lawsuit with the Registries of Deeds, for the understanding of the Representatives present at the time.

MAINE STATE SENATORS AND REPRESENTATIVES – INFORMATIONAL MEETING:

Present with the Commissioners was Treasurer David Parkman, Commissioner – Elect Betty Johnson, Representative Ryan Harmon, Representative Peter Rioux, Representative James Gillway and Senator Michael Thibodeau. The Commissioners thanked all present for attending.

D. Berry explained that they had been invited in so that the Commissioners could share concerns as follows:

1. **DEPUTIES SITTING FOR LONG PERIODS OF TIME IN COURTHOUSES:** The Commissioners reported that, 99% of the time, the Patrol Officers aren't used in court and are often paid at time and one-half by the County, noting that this comes close to \$10,000.00 for this waste of time. A. Fowler added that towns such as Stockton Springs and Searsport often have an entire department sitting at the courthouses. "This is killing us and all of you," she expressed. D. Berry agreed that something needs to be done and when these issues have been brought up, there just has been no response to do anything about it.

P. Rioux asked if it was a scheduling issue. W. Shorey explained that the Deputies are called in just in case the cases will be called, then a number of the cases end up getting settled that day. If this could be

done ahead of time, it would eliminate the need for law enforcement officers to sit for long periods of time and not even being used. A. Fowler explained that dockets change and she noted that since this happens in other counties besides Waldo, something needs to be done at the judicial branch. D. Parkman related what happens with those who are waiting for arraignment and the costs related to this process. A. Fowler explained that video arraignments are being used in some cases, but noted that this technology is expensive. It was agreed that if some of the inmates could get to see a Judge sooner, they could likely post bail and then be out of the system. The Commissioners asked that the Representatives and Senator look into this matter to see what might be done to improve things. They believed that it might take legal action and a philosophy change on the part of Judges to resolve this issue.

J. Gillway illustrated with an example of a person who wanted to plead guilty but was not allowed by the Judge. The Judge insisted on setting a court date, and this is the standard practice. “The reason for arrest is not punishment – you’re insuring that they will show up for court. If you know the person is likely to show up, you can write a summons and then they show up for court without having to go to Jail,” J. Gillway explained. He acknowledged that some crimes cannot be handled that way. He said he believed more education needs to be done regarding the whole system. J. Gillway commented that his fire chief and one of his officers were sitting up in the court at this moment, and have been since 8:00 a.m. at the insistence of the Victim/Witness Advocate, adding that trials won’t even start until 1:00 this afternoon. A. Fowler stated that there is no excuse for law enforcement officers to being called in for 8:00 a.m. when trials won’t even start until 1:00.

P. Rioux asked why Deputies were paid at time and one-half and received the explanation that most of them are being called in on their day off, and there is call-in rate of time-and-one-half. It may also be the case that some are coming in after they have already done a shift, resulting in overtime pay as well.

M. Thibodeau commented that the District Attorney is an elected official, too, so he wondered if there is some sort of legal reason that binds the District Attorney from cooperating more. If not, he suggested that some pressured applied for the District Attorney to try and cooperate with the law enforcement agencies. J. Gillway noted that it isn’t the District Attorney who makes the decision, but the arresting officer is relied upon to help make the decision on plea bargains. He explained that statistically people are better off and get reduced punishment waiting to go to plea bargain the day of the trial. He also explained that cases get dropped if the Officers don’t show up so Officers are trying to make sure that the law gets applied and goes thorough it’s course from start to finish; otherwise people are getting let off for crimes they committed. J. Gillway suggested asking these questions of the new governor, as well.

D. Parkman commented that part of the reason for the Jail consolidation was because the State had inmates that “they couldn’t get rid off.” He described the Jail consolidation as “just a mess,” noting that Commissioner Fowler could speak to this subject. He explained that he had become involved when the State started making demands for large amounts of documentation, figures and information and his Deputy Treasure was becoming overloaded. He reported that some of those demands came at the end of the year when the Deputy Treasurer was “up to her eyeballs” in year-end County work. He showed the group thick files he had collected related to these matters. He further commented that this is the first time property taxes have been transferred to the State.

D. Parkman noted that the BOC chairman described the BOC numerous times as “dysfunctional.” “99% are spent on the Counties and almost nothing on the State correctional systems,” D. Parkman reported, adding that in that case, the majority should be County people serving on that board, which is currently not the case.

A. Fowler thanked D. Parkman for his comments. She reported that hundreds of thousands of dollars were being paid out to other Jails to house inmates, noting that Waldo County had to board out all of its inmates. She explained that the boarding fees charged by other counties in the past were over-inflated. She noted that the “One Maine, One System” had eliminated this problem of over-charging, but the problem became the State putting its inmates in County facilities, which shuffled expenses onto the counties. The State then set the rate it would pay for these inmates to be housed at \$23.00 per day, which is just not reasonable. Waldo County was slated to be closed, but changed its mission to a Re-entry facility, which saved jobs for County citizens. She explained that there currently is legislation to repeal/reform, and further explained that the acronym “BOC” stands for Board of Corrections, which is different from “DOC” or Department of Corrections. A. Fowler went on to explain that the Re-entry facility in Waldo County also serves as a 72-hour hold. The cost to run this center has been capped; the County sends it’s capped amount to the State and the State is supposed to take these funds and pay for Waldo County’s inmates that are housed elsewhere. When asked, A. Fowler said that transportation costs are included in the boarding fees. Historically, Waldo County’s actual boarding costs were typically about \$700,000.00 but they were higher than usual the year that the State set the County’s cap, so it was set at \$900,000.00.

A. Fowler noted that the County pays its bills and when the Waldo County Commissioners found out that Two-Bridges, which houses all of Waldo County’s inmates, couldn’t pay its invoices because the BOC had not funded Two-Bridges in a timely way, the Waldo County Commissioners had grave concerns about this.

D. Parkman noted that in York County, minus transportation, board was about \$90.00 per inmate in 2004-5. He had consulted with the Sheriff and was told it was anywhere from \$65.00 to \$80.00, so he guessed the \$90.00 was not too bad. He believed a lot of the boarding costs were decreasing.

A. Fowler said she would try to sum it up: “Do I honestly think this can be reformed? I don’t know. Do I think this can be repealed? I don’t know. Can we keep playing this game with the budget that Waldo County has? Yes. Do I think we could have worked with other counties in the past for boarding at reasonable figures? Yes.” She noted that there is currently one pod empty at Maine State Prison, yet the counties are shuffling to try and provide housing for inmates. A. Fowler spoke with Ralph Nichols and asked why this pod was not open, to make spaces for the State prisoners. Ralph Nichols advised that it is not slated to open any pods until 2013. A. Fowler believed that is possible to rectify things through Re-entry services and with the State taking responsibility of its prisoners and hiring the adequate staff to house them in the State’s facility.

R. Harmon requested that A. Fowler summarize her concerns as listed above and E-mail it to all the Representatives. There was more brief discussion on fees, and R. Harmon stated that he was “completely innocent of a lot of County issues.” He inquired about LD1 and how it works for the County.

D. Parkman responded that new growth factor is gathered from the Towns and the County must stay beneath the LD1 CAP or the Budget Committee could vote to increase or exceed it. He noted that these two actions differ; exceeding is for one year only and increasing raises the bottom line for the following year. It works the same as for the municipalities, for the most part.

D. Parkman informed the Representatives and Senator that he had requested an accounting for \$900,000.00 the County had sent, and remarked that “the State sits on their bills.”

W. Shorey added that the State pays the Counties for 9 months only to run the Jails, and then waits to pay only what is absolutely necessary after that point each year.

A. Fowler explained that the revenue is sent to BOC and the BOC is supposed to disseminate that money. Any money generated by the State revenue is not sent back to the BOC. There are two sets of rules and two sets of standards, and this has caused endless problems.

D. Parkman noted that the County is on a different fiscal year than the State and said that there were a lot of hours of work being done by the County Deputy Treasurers that was not paid for by the State, but rather by the Counties.

J. Gillway stated that it needed to be clearly pointed out that 12 Waldo County people were out of work because of the Jail consolidation, noting that nobody acknowledged this during a recent discussion; that “everything was fine with this system” and they never acknowledged those jobs that were lost in the County.

D. Parkman said that he tried to calculate the cost, per resident, to run the Re-entry facility and had been corrected by the Sheriff to estimate it at about \$95.00 per resident.

J. Gillway commented that nothing has really changed in a number of years, noting that years ago a State inmate was being kept at the Waldo County Jail and the State was not paying for that boarding.

W. Shorey commended Sheriff Story for all the hard work he did to salvage the County Jail, turn it into a Re-entry Center and keep the jobs that were kept.

A. Fowler explained that it would cost too much to ever reconvert back to a Jail, but acknowledged that Waldo had found it’s “nitch” in offering Re-entry housing and programs to inmates that qualify for it. “We are a pioneer,” she added. She acknowledged, however, that without other Jails taking Waldo’s inmates, “we’d be sunk.” She felt that if the whole thing could not be repealed, serious reform would be necessary.

D. Berry believed that bills would be introduced into Committee and changes might be made there in amendments to these bills. He noted that they keep talking about the County, but the County also serves other municipalities that have their own law enforcement agencies. Transporting for these Towns is being performed by the County and is often overlooked. A. Fowler concurred, stating if there was no 72-hour hold in Waldo County, Lincolnville Officers would be doing transports to Two-Bridges Jail. D. Parkman acknowledged that the County is relying on the other Jails to house Waldo’s inmates. If those other Jails ever fail, this will put it back on Waldo County.

R. Harmon asked why the County could not go back to being a jail. A. Fowler explained that the Jail had been converted and the inside is now more like a dorm – no doors on some rooms, no bars, etc. The residents are people that are being worked with to get them back out into society. “It is harder to get into Waldo’s program than to get into a college,” she said, adding that the residents come from State and County facilities. “At the end of this week, 24 will be in there; not including the 72-hour hold. After working through phases, these residents go out, get jobs in the public, and then come back to the facility come back each night,” she explained. When asked about the statistics related to recidivism, A. Fowler said that the figures, keeping in mind that it has not been implemented for a full year yet, are very good at this point.

W. Shorey said he would like to add, regarding Two-Bridges holding Waldo County's inmates, "When we bid and got our mission change, we made a good bid for our commitment to be fulfilled and I believe it is the State's responsibility to make sure these inmates have a Jail to go to."

J. Gillway inquired about coordinating the transport of inmates by municipal officers and the County, and other counties as well. A. Fowler said Penobscot took the lead in setting up the transportation and they serve as the transportation hub. The State cut Penobscot County's budget, which affected their transportation. It was agreed that this is how dysfunctional the system is.

D. Parkman illustrated with a Sheriff who had met with the BOC, the budget was approved, and as he was on his way home, he received a telephone call informing him that the budget had been cut after he left.

J. Gillway said he assumed that Waldo was in the same boat as other counties, and was told yes. He believed changing the Board of Corrections would benefit all of them. A. Fowler said that \$80 million is paid by the Counties and the State is paying \$3.8 million.

D. Parkman said he had two other things he wanted to bring up. He stated that the Registry of Deeds is a big revenue maker for the County. Regarding issues with the lawsuit, Beverly Buxton-Hathaway, who represents the Deeds in all counties, has done a good job getting some changes made. Also, PSAPS are of concern. He noted that Communications Directors had been pro-active and saved most of the PSAPS. The Kimball report recommended one PSAP per County with the exception of Cumberland County. A list had been generated with which had been closed and which were staying open. Two State places stayed, but most of the Counties retained their PSAPS. A. Fowler commented on the fine Waldo County Communications Center and recommended that all present go visit the center. "You will be wooed and impressed," she stated. When asked how many were working there, it was estimated about sixteen that worked 24/7 shifts.

D. Parkman added that the County had been instrumental for putting up more towers to get better radio coverage for emergency services.

D. Berry asked if there were any other questions. R. Harmon said he had a lot of questions, including the Officers upstairs in court and whether they actually had to show up. J. Gillway explained that if they don't, whoever was accused will go free. R. Harmon asked if a lot of cases were taken to side rooms for plea bargaining. J. Gillway responded that eventually they all still have to go back before the Judge. If the person "pleas out" and pays the fine, that is one thing. If the person challenges, it goes to court. R. Harmon said he would have to become more familiar with how the system is currently set up so he could find out how scheduling might be changed to have the officers available for a shorter window of time. M. Thibodeau said he thought he had understood that the officers were being relied upon heavily in the decision making process.

P. Rioux stated that all the Commissioners' concerns were of interest to him but he requested a detailed list of what the concerns were and then he could really review that. J. Gillway suggested that the minutes from this meeting be sent to all the Representatives and the Senator. Regarding wasted man hours for law enforcement, he believed that this should be worked on immediately to see if something could be done right away. A. Fowler suggested contacting Chief Justice Saufley. J. Gillway noted that there were three key people: William Schneider, Leigh I. Saufley and John Morris. D. Parkman commented that nothing had changed in thirty days, so he wished them luck.

M. Thibodeau said that he believed this was a good meeting to get introduced and now all knew how to get in touch with and contact each other, so they can continue to work together in the future.

Commissioner-Elect Betty Johnson added that attorneys were part of the problem and needed to be included in discussions to improve this situation.

(BREAK FOR TAX ABATEMENT PETITION #351 RICHARD & MARIA LUCCO VS. TOWN OF PALERMO. SEE SEPARATE MINUTES.)

D. Berry noted that Commissioner Shorey needed to be out at 3:00 p.m.

****A. Fowler moved, W. Shorey seconded to recess at 11:49 a.m. and would be in recess until 1:00 p.m. Unanimous.**

(LUNCH BREAK)

****W. Shorey moved, D. Berry seconded to come out of recess at 1:03 p.m. Unanimous.**

REGISTRY OF PROBATE RENOVATION DISCUSSION:

Present for this report was Facilities Manager Keith Nealley and Register of Probate Sharon Peavey. S. Peavey explained that the current work stations were tight, employees often back into each other with their chairs and she was hoping this could be renovated. She and K. Nealley have been working with Christina Stonier of W.B. Mason to plan this. She submitted a plan print showing how the stations would look after the renovation. Keith Nealley stated that he would be able to perform the demolition and renovation for about \$1,700.00, and offered funding from the Facilities Management budget.

A. Fowler expressed concern about spending money at this point. S. Peavey noted that W.B. Mason had cut the cost to 50% so that it would not cost the County as much. A. Fowler said she agreed that this was an excellent price, and asked K. Nealley which line he was planning to use. He suggested line 1030-4608 (R/M – District Court building.)

****W. Shorey moved, A. Fowler seconded to approve the Probate Renovation Project as presented.**
Discussion: A. Fowler asked that it be taken from Repairs and Maintenance, District Court (1030-4608).
Unanimous.

FACILITIES REPORT:

Present for this report was Facilities Manager Keith Nealley, with the following:

1. **WORKSPACE FOR NEW D.A. RECEPTIONIST:** K. Nealley informed the Commissioners that some work needs to be done and space created for the new District Attorney Receptionist position and the new desk would cost \$1,629.92.
2. **DISTRICT COURTHOUSE ALARM:** After a recent evacuation drill, K. Nealley had someone come in and look a system for both top and bottom floors in the District Courthouse. The estimate was \$28,815.00. D. Berry suggested waiting until after the study has been performed by the State.
3. **STUDY OF COURTHOUSE:** K. Nealley reported that the County Clerk had forwarded all the information to him pertaining to recent communications from State Facilities Manager Jeff Henthorn regarding meeting with Winton Scott Architects and asked if he should coordinate a meeting with the

State and Commissioners. The Commissioners agreed to try and schedule it January 11, 2011 in the afternoon.

4. FUEL ESTIMATES:

K. Nealley reported that he has tried to obtain estimates for fuel bidding for the County buildings but nobody will “stick their neck out” at this point. He hoped to have some more concrete information for the January Commissioners Court Session. As soon as he can go out to bid, he will. There was brief discussion about whether to lock in early in the year or later. He will continue to look into it. Right now, the County pays \$2.90 per gallon, or thereabouts and about 25,000 gallons are burned each year. He had a control issue with heat in the Superior Courthouse. There is one thermostat that controls the entire building and sometimes, illustrating with the Archive on the third floor, it can range from 40 degrees to 80 degrees in that room.

SAFETY PRIZE WINNER:

Chief Deputy Robert Keating submitted the only suggestion for 2010, which was to place a removable fence on the edge of the lawn next to the driveway into the parking space behind the District Courthouse so that drivers will not continue to drive over the edge and get stuck. D. Berry awarded the \$100.00 check for winning this prize, on behalf of the Board of Commissioners and congratulated Chief Deputy Keating.

EMA DIRECTOR DALE ROWLEY: UPDATE ON BUILDING:

1. EOC COMMITTEE: D. Rowley recommended that every County employee have an emergency role and then add these to the proper job description. He noted that when employees terminate, it creates vacancies on the EOC Committee and these need to be filled. He added that during the attacks on 9/11/2001, the experience there was employees were leaving in haste instead of assisting. He provided a list of Waldo County Employees with suggested assignments. If training is needed, he will be glad to provide it. W. Shorey suggested that every three months D. Rowley bring this up to keep it in front of the Commissioners. D. Rowley noted that he believed the only potential complications might come from union positions. W. Shorey commented that it was a sad world when it had to be negotiated to have people help in an emergency. W. Shorey wondered if the Commissioners could order employees to assist. D. Berry believed it would likely come from the Governor’s office. D. Rowley explained that assignments and training should really be identified prior to any emergency. He noted that the majority of employees were already assigned to the EOC before they became unionized, when looking at the records.

2. Day care for children/elderly/pets for those who serve on the EOC. Presidentially declared emergencies could be reimbursed. He didn’t know how expensive this would be at this point, as they did not know how many kids they were dealing with, but recognized that there are a number of employees with small children. He believed that these things should be worked out in advance of an emergency, not during the emergency.

3. DISASTER PLANNING: D. Rowley said he believed there should be processes and procedures, planning and proposed meetings outside the Department Head Meetings so that all the facilities and all the departments would have a plan in the event that their facility was compromised or damaged. He didn’t believe this has been done for most towns and counties. He was bringing this to the Commissioners’ attention and asked for authority to do organize these meetings in the near future. Commissioners Shorey, Fowler and Commissioner-elect Johnson all agreed.

4. GRANTS: When asked if he had applied for any more grants, D. Rowley updated the Commissioners regarding six projects for which he has applied for grant funding. He noted that an

additional repeater might be needed in the future. W. Shorey explained that the Commissioners had cut the budget for Grant Writing, and therefore the company that the County had been using was no longer going to be performing work for the County. W. Shorey inquired of D. Rowley as to whether there might be a grant funding opportunity for furniture, etc. for the newly proposed EOC/Sheriff's building. B. Arseneau reminded the Commissioners that DRG Specialty Services had submitted a list of grant research opportunities for the future and she would forward that to D. Rowley. D. Rowley noted that J. Arseneau had submitted a grant application for Spillman Insight program software and there was no match required for this.

There was brief discussion of applying for a generator for the proposed building site. D. Rowley also recalled that the Sheriff's Office had at one time asked him to look into body armor for their office. He applied, but was not able to obtain funding. W. Shorey said he believed the flow of money would be shrinking. D. Rowley acknowledged that Homeland Security money isn't necessarily shrinking, but is being reallocated to larger city areas. The State of Maine has complained that federal funds are being directed to other states, but D. Rowley noted that the State is doing the same in the State of Maine by allocating to larger cities in the State. W. Shorey said he would meet with D. Rowley in a week or so to discuss this further.

TECHNOLOGY REPORT:

Present for this report was Technology Consultant James Arseneau, with the following:

1. SPAM FILTERING: J. Arseneau reminded the Commissioners that he had come before them about three months ago to resolve issues related to spam filtering and the need to go with another system. It had taken longer than expected to get the new program up and running because there were problems with the prior ISP the County was with releasing information so that the Google program could get up and running. He noted that the other system is being "trained" to identify the spam coming into the County addresses, and that is already working well.
2. Work needs to be done in the Superior Courthouse to set up a station for the new District Attorney's Office Receptionist position. J. Arseneau explained that when work was done previously in that building, the State wiring wasn't moved because it was too expensive to do so. Wiring will require physically moving desks away from the wall, so this is how it will need to be done. Once this has been done, unless there are other changes, hopefully there won't need to be too much other work done. The telephone for the new Receptionist position has been installed as of yesterday. The other furniture should be arriving within the next six weeks.
3. Equipment will need to be moved in the Registry of Deeds to accommodate furniture changes.
4. An update need to be performed on the QuickBooks for Probate.
5. The ProQA mandated by the State for Dispatch will require an update performed as there is a new licensing arrangement.
6. TEXT MESSAGING – SHERIFF'S OFFICE: J. Arseneau reported that the Sheriff's Office is working on transferring texts to cell phones rather than pagers for law enforcement and it is currently being tested.
7. There is ongoing work for the GEO Base system.

8. As mentioned in August, the State performed an audit in February which indicated that Officers and anyone who has access to the Spillman system has to have a third authentication. The audit in Belfast resulted in them “being dinged” because they didn’t have that configuration. A quote has been received, which would be good for three years, for a token at the cost of \$180.00 apiece. J. Arseneau suggested that each outside municipality purchase their own token, and the County will provide the pathway for the information. To do this for the County would be about \$17,700.00 including installation. At some point in the very near future, funds will need to be used from the Technology Reserve to meet policy requirements. Because the County uses the State Metro to run license plates, the County must meet security criteria. Every three years, these fobs will need to be re-purchased. The users in the outside agencies gave each person their own personal log-on. Others have generic logons. He noted that one will not have to be purchased for every person.

9. NETWORK: Because the question has been raised, J. Arseneau explained that J&B Diversified Associates had already configured the County’s network, permitting the District Courthouse to be “cut off” and set up in one of the other buildings as self-sufficient, because of the Citrix interface. He explained that employees could “sit pretty much anywhere there is Internet Access,” because this capability had been planned early on.

10. There is a new software package that is being used by the State of Maine, which replaces the existing Ominxx software used by Dispatch to run plates and licenses that may be usable on a mobile basis. It is being investigated at this point for compatibility.

MISCELLANEOUS COMMISSIONERS BUSINESS:

1. CLARIFICATION OF VOTE FOR F/T CORRECTIONS PAY SCALES: B. Arseneau asked the Commissioners to revisit the vote they had taken on the Full Time Corrections pay scales during the August 26, 2010 County Commissioners Court Session rescinding their vote on the pay scales made during the August 24, 2010 Commissioners Court Session. While putting together the new pay scales, Human Resources/Payroll Director Michelle Wadsworth discovered that the most recent vote had not included wording related to the wages for 2011 starting on January 1, 2011 and the wages for 2012 going into effect July 1, 2011, which would eliminate using date-of-hire anniversaries for wage increases. Furthermore, M. Wadsworth had noted that the bonus amounts for steps beyond the 15-year level had not been established, and this needed to be decided as there were already employees beyond the 15-year step.

The Commissioners, after brief discussion, voted on the Corrections Pay Scales as follows:

****W. Shorey moved, D. Berry seconded to accept the pay scales for non-union full-time Corrections and Re-entry Center employees and the Jail Administrator as presented on August 26, 2010, effective January 1, 2011; with wages from January 1st through June 30, 2011 paid at the 2011 level, and wages paid at the 2012 level effective July 1, 2011 through June 30, 2012.**

****D. Berry moved, W. Shorey seconded to amend that motion to add that anyone who has completed the 15-year step on the pay scale will receive a bonus each subsequent year of \$300.00. Unanimous.**

It was noted that the new pay scale also includes, at the bottom, the Part-Time Corrections Officer (with Certification) rate at \$15.34.

2. **JOB DESCRIPTIONS – DISTRICT ATTORNEY’S OFFICE:** Updated job descriptions have been received from the District Attorney’s Office for the former Legal Secretary (now Administrative

Legal Secretary), the Clerical Aide (now Legal Secretary) and the Receptionist (new). After brief review of the changes, the Commissioners voted as follows:

****W. Shorey moved, A. Fowler seconded to approve the job descriptions for the Legal Secretary, Administrative Legal Secretary and Receptionist in the District Attorney's Office. Unanimous.**

3. OLD BUSINESS:

TABLED DISCUSSION: CORRECTIONS REQUEST: The Commissioners wished to table any further discussion on this until the next regular Commissioners Court Session.

4. D. Berry requested an Executive Session for discussion of labor contracts and meetings between a public agency and its negotiators.

****D. Berry moved, A. Fowler seconded to enter Executive Session at 2:42 p.m. for discussion of labor contracts and meetings between a public agency and its negotiators according to M.R.S.A. Title 1 § 405 6(D). Unanimous.**

****A. Fowler moved, W. Shorey seconded to come out of Executive Session at 2:47 p.m. Unanimous.**
No action was taken.

CORRESPONDENCE:

Present to review correspondence was County Clerk Barbara Arseneau, with Deputy County Clerk Veronica Spear taking minutes for this portion of the court session.

1. Two appeals property tax abatement appeals have been received from Mr. Vance Philbrook of Montville; one for personal property, the other land. B. Arseneau reported that after a cursory review, the request appeared to have met the criteria to hold a hearing. After brief discussion about how full the agenda is for the January 11, 2011 Commissioners Court Session, the Commissioners instructed B. Arseneau to contact Mr. Vance to see if he would be willing to postpone the hearing until February 8, 2011 regular Commissioners Court Session.
2. The IRS had announced the 2011 standard mileage rate will be increasing to .51 cents per mile, effective January 1, 2011. The Commissioners noted that the County rate will follow the IRS amount and instructed the Clerk to notify the County Departments.
3. Pay step increases were noted by the Commissioners for the following employees:
 - Deputy Darrin Moody reached the one-year step on December 13, 2010, with an increase in pay from \$17.35 per hour to \$18.00 after also graduating from the Maine Criminal Justice Academy on December 17, 2010. (It was noted that the first increase effective December 13, 2010 will be from \$17.35 per hour to \$17.56, with the pay step increase for graduating from the Academy from \$17.56 per hour to \$18.00.)
 - Deputy County Clerk Veronica Spear will reach the seven-year pay step on the Commissioners Staff pay scale with a salary increase to \$33,937.76 effective January 1, 2011.
4. B. Arseneau reminded the Commissioners that she had forwarded to them the letter listing possible grant opportunities from Cheryl Coats of DRG Specialty Services, who had been performing grant research and grant writing work for the County through 2010. She stated she would forward a copy to EMA Director Dale Rowley, as previously mentioned.

MINUTES APPROVED:

****A. Fowler moved, W. Shorey seconded to accept the minutes from the November 9, 2010, November 23, 2010 and December 9, 2010 Waldo County Commissioners Court Sessions. Unanimous.**

NEXT COURT SESSION:

The next Commissioners Court Session is a special court session scheduled for December 28, 2010, in the afternoon rather than the morning.

****A. Fowler moved, W. Shorey seconded to adjourn the Court Session at 2:55 p.m. Unanimous.**

Respectfully submitted by Barbara L. Arseneau
Waldo County Clerk